TO THE RESIDENTS OF THE BOROUGH OF MIDDLETOWN

Notice is hereby given that the Borough Council of the Borough of Middletown will consider for adoption the following Ordinance at the Regular Business Meeting on December 6, 2022 at 7 P.M. in the Council Chambers of Middletown Borough Council located at Borough Hall, 60 West Emaus Street, Middletown, PA 17057.

**ORDINANCE NO. 2022– 1400**

**AN ORDINANCE OF THE BOROUGH OF MIDDLETOWN, DAUPHIN COUNTY, PENNSYLVANIA, AMENDING CHAPTER 144, ELECTRIC SERVICE, TO ESTABLISH THAT CUSTOMERS WHO HAVE HAD ELECTRIC SERVICE DISCONNECTED DUE TO NON-PAYMENT MUST SCHEDULE TO RECONNECT SERVICE FOLLOWING PAYMENT OF CHARGES**

 **WHEREAS,** Section 24A04(n) of the Borough Code authorizes the Council of the Borough of Middletown to regulate municipal power (8 Pa. C.S. § 24a04(n)); and

 **WHEREAS,** Borough Council previously enacted, and from time to time has amended, Chapter 144 of the Code of the Borough of Middletown (“Middletown Code”); and

 **WHEREAS**, the Borough has determined that additional requirements with respect to electrical service are necessary to ensure the health, safety and welfare of the residents of the Borough; and

 **WHEREAS,** the Borough wishes to amend Chapter 144 of the Middletown Code as provided herein.

 **NOW THEREFORE, IT IS HEREBY ORDAINED AND ENACTED,** by the authority of the Borough Council of the Borough of Middletown, Dauphin County, Pennsylvania, that the Middletown Code, Part II (General Legislation), Chapter 144 (Electric Service) is hereby amended as follows:

**I. AMENDMENTS.** Part II (General Legislation), Chapter 144 (Electric Service), of the Middletown Code is hereby amended by deleting the bracketed language and adding the bolded and underlined language, with ellipses to indicate existing language that is not being amended:

Section 1: Section 144-4 of the Code shall be amended as follows:

§ 144-4. Right of Borough to terminate supply.

B. **Prior to discontinuance of service, the Borough will take such steps as may be reasonable to notify the customer thereof.** When the service has been discontinued for any of [said] **the aforementioned** reasons**,** other than those in Subsection [A(1)](https://ecode360.com/5137946#5137946) and [(2)](https://ecode360.com/5137947#5137947), a charge of $40 for making the disconnection and **the** reconnection, payable before reconnection, will be made. If the service has been discontinued for the reason specified in Subsection [A(9)](https://ecode360.com/5137954#5137954), the customer must pay all past due charges, plus reconnection charges in accordance with § [144-27](https://ecode360.com/5138062#5138062) of this chapter, prior to reconnection of service**, except as otherwise required by law**. **The customer shall be responsible for scheduling the reconnection with the Borough following payment of all required charges.** [Prior to discontinuance of service, the Borough will take such steps as may be reasonable to notify the customer thereof.]

Section 2: Section 144-27 of the Code is hereby amended as follows:

§ 144-27. Delinquent Bills.

G. In the event that the electric service is discontinued for nonpayment, the same will be reconnected upon payment of all amounts due, plus late penalty, along with a reconnection charge of $60**, except as otherwise required by law**. In addition, a security deposit shall be required. Payment shall be made to the Borough no later than 3:00 p.m. on a regular Borough working day. **The customer shall be responsible for scheduling the reconnection with the Borough following payment of all required charges.** No service disconnected for delinquency will be reconnected after 3:00 p.m. on regular Borough working days, or on Saturdays, Sundays or Borough holidays.

**II. SEVERABILITY.** If any section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance is declared by any reason to be illegal, unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect or impair the validity of this Ordinance or Chapter 144 of the Middletown Code as a whole, or any other section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word or remaining portion of this Ordinance or Chapter 144 of the Middletown Code. Borough Council hereby declares that it would have adopted this Ordinance and each section, subsection, phrase and word thereof, irrespective of the fact that any one or more of those sections, sub-sections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases or words may be declared illegal, unconstitutional or invalid.

**III. REPEALER.** All ordinances or parts of ordinances that are inconsistent herewith shall be and the same expressly are repealed.

 **BOROUGH COUNCIL OF THE**

 **BOROUGH OF MIDDLETOWN**

If you would like to obtain a copy of the proposed Ordinance prior to the Regular Business Meeting, please contact the Borough Secretary at 717-902-0706 or at gmiller1@middletownborough.com.